

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

WINERIES OF THE OLD MISSION
PENINSULA ASSOCIATION, *et al.*,

Plaintiffs,

Case No: 1:20-cv-01008

v.

PENINSULA TOWNSHIP, Michigan Municipal
Corporation,
Defendant,

Honorable Paul L. Maloney
Magistrate Judge Ray S. Kent

and

ORAL ARGUMENT REQUESTED

PROTECT THE PENINSULA,

Intervenor-Defendant.

**PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT
ON INTERVENOR-DEFENDANT PROTECT THE PENINSULA'S AFFIRMATIVE
DEFENSES**

Plaintiffs, through their undersigned counsel, move pursuant to Federal Rule of Civil Procedure 56 for partial summary judgment on each of Intervenor-Defendant Protect the Peninsula's Affirmative Defenses as Plaintiffs are entitled to judgment as a matter of law thereupon. Plaintiffs rely on the accompanying brief in support of this motion.

WHEREFORE, Plaintiffs respectfully request that this Court enter a judgment in their favor and dismiss Intervenor Defendant Protect the Peninsula's Affirmative Defenses. Plaintiffs further request that this Court award them their cost and attorneys' fees incurred in this action pursuant to 42 U.S.C. § 1988 as well as the damages they have incurred due to the Township's conduct in an amount to be determined at trial.

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

By: /s/ Joseph M. Infante

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Dated: September 8, 2023